

Chimicles & Tikellis LLP

ATTORNEYS AT LAW

222 Delaware Avenue, Suite 1100
P.O. Box 1035
Wilmington, DE 19899
Telephone: (302) 656.2500
Telecopier: (302) 656.9053
E-mail: Mail@Chimicles.com

August 14, 2009

VIA HAND DELIVERY

Honorable Eduardo C. Robreno
United States District Court for the
Eastern District of Pennsylvania
Room 11614
601 Market Street
Philadelphia, PA 19106

Re: *Pennsylvania Employee Benefit Trust Fund v. Zeneca
Inc., et al.*, 05-CV-0075 (ER)

Dear Judge Robreno:

With the permission of the defendants, I am writing this letter to update the Court on the status of certain matters in the above-referenced litigation.

Attached please find a Chambers copy of the Amended Consolidated Complaint ("Complaint"). Because the Complaint refers to "confidential discovery material" produced pursuant to protective orders entered in other litigations, and ordered sealed in those other litigations, the document has not been filed with the clerk. Defendants have advised us that they intend to file a motion to seal, seeking to seal certain portions of the Complaint (a redacted version of the Complaint would be placed in the public file). We are advised that the Motion to Seal will be filed by August 21, 2009. Once defendants' motion is decided by the Court, we will file the Complaint consistent with the Court's directives.

Nicholas E. Chimicles
Pamela S. Tikellis *
Robert J. Kriner, Jr. *
Steven A. Schwartz
Kimberly M. Donaldson
Joseph G. Sauder
Matthew D. Schelkopf
Kimberly Litman Kimmel
Timothy N. Mathews
A. Zachary Naylor *
Benjamin E. Johns
Alison R. Gabe
Scott M. Tucker *
Meghan A. Adams *
Tiffany J. Cramer *
Kimberly A. Sanders

OF COUNSEL
Morris M. Shuster
Denise Davis Schwartzman
Anthony Allen Geyelin
David M. Maser

**Attorneys admitted to
practice in Delaware*

HAVERFORD OFFICE

One Haverford Centre
361 West Lancaster Avenue
Haverford, PA 19041
Telephone: (610) 642.8500
Telecopier: (610) 649.3633

The delay in the official filing of the Complaint pending this Court's resolution of the Motion to Seal will not affect any of the other deadlines set by the Court in Pretrial Order No. 2. (Dkt. No. 78).

Respectfully,

A handwritten signature in black ink, appearing to read "A. Zachary Naylor", with a long horizontal flourish extending to the right.

A. Zachary Naylor (#40139)

AZN:ebw

Enclosure

cc: All counsel (*via* ECF; without enclosure)